

## Growth Management Bill Tracking List Session 2010

TOPIC	Bill	Title	<a href="#">Session Law</a>
Accommodating Growth	ESHB 2538	<b>Regarding high-density urban development.</b> <ul style="list-style-type: none"> <li>Encourages certain cities under the Growth Management Act to include compact development in their comprehensive plans.</li> <li>Requires the development of a nonproject environmental impact statement for any compact development plan included in a comprehensive plan.</li> <li>Encourages establishment of a transfer of development rights program for cities that include compact development in their comprehensive plans.</li> <li>Provides funding incentives to assist with the cost of developing a nonproject environmental impact statement for a compact development plan included in a comprehensive plan.</li> <li>SEPA appeals are prohibited for projects consistent with subarea plan until July 1, 2018.</li> </ul> <i>Mar. 22, Governor signed,, Effective 6/10/2010</i>	<i>Chapter 153, 2010 Laws</i>
Annexation	ESB 6287	<b>Concerning annexation of a city, partial city, or town to a fire protection district.</b> <ul style="list-style-type: none"> <li>All property located within the boundaries of a city, partial, or town annexing into a fire protection district which is subject to an excess levy by the city or town for the repayment of debt incurred for fire protection related capital improvements that incurred prior to the annexation is exempt from voter-approved property taxes levied by the annexing fire protection district for the repayment of indebtedness issued prior to the effective date of the annexation.</li> </ul> <i>Mar. 15, Governor signed, effective 3/15/2010</i>	<i>Chapter 63, 2010 Laws</i>
Annexation	SB 6418	<b>Regarding cities and towns annexed to fire protection districts.</b> <ul style="list-style-type: none"> <li>The requirement that fire protection districts be authorized in areas outside of cities and town, except where the cities and towns have been annexed into a fire protection district or where the district is continuing service, is removed. A city or town adjacent to a district may be annexed into such a district provided the population of the city or town does not exceed 300,000.</li> </ul> <i>Mar. 19, Governor signed, effective 6/10/2010</i>	<i>Chapter 136, 2010 Laws</i>
Annexation	SSB 6271	<b>Concerning annexations by cities and code cities located within the boundaries of a regional transit authority.</b> <ul style="list-style-type: none"> <li>When an area outside of RTA boundaries is annexed to a city or a code city located within the boundaries of a RTA, the annexed area is simultaneously included within the boundaries of the RTA. From the effective date of the annexation, the annexed area is subject to the taxes, liabilities, and obligations imposed by the RTA within the city. The city or code city must notify the RTA of the annexation.</li> </ul>	<i>Chapter 19, 2010 Laws</i>

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		<ul style="list-style-type: none"> <li>This bill will apply only to annexations that occur after the law takes effect.</li> </ul> <p><i>Mar. 10 Governor signed, effective 6/10/2010</i></p>	
Climate Change/Energy	SSB 6373	<p><b>Directing the department of ecology to adopt rules requiring entities to report the emissions of greenhouse gases.</b></p> <ul style="list-style-type: none"> <li>Requires the Department of Ecology to modify its greenhouse gas emissions reporting rules.</li> <li>Requires persons who emit 10,000 metric tons of carbon dioxide equivalent annually from a single facility, source, or site, or from fossil fuels sold in Washington by a single supplier, to report their greenhouse gas emissions to the Department of Ecology.</li> <li>Requires persons who are required to file tax reports of motor vehicle fuel sales, persons required to report periodic tax reports for special fuel sales, and distributors of aircraft fuel to report their annual greenhouse gas emissions to the Department of Ecology.</li> <li>Requires the Department of Ecology's rules to be consistent with the greenhouse gas reporting regulations adopted by the U.S. Environmental Protection Agency.</li> </ul> <p><i>Mar. 19 Governor Signed,, effective 6/10/2010</i></p>	<i>Chapter 146, 2010 Laws</i>
Dept of Commerce	E2SHB 2658	<p><b>Refocusing the department of commerce, including transferring programs.</b></p> <ul style="list-style-type: none"> <li>Directs the transfer of the Department of Commerce (Department) powers, duties, and functions pertaining to five programs and activities to other state agencies.</li> <li>Requires the Department, with guidance of an advisory committee, to develop and present to the Legislature an updated state energy strategy and implementation report beginning December 1, 2010, and every five years thereafter.</li> <li>Subjects the Department's authority to implement the state energy strategy to legislative consideration and approval by concurrent resolution and to availability of amounts appropriated for this purpose.</li> <li>Directs the Department to create a central point of access for small business and entrepreneurial assistance and to establish a separate division for community services and housing programs.</li> <li>Requires the Legislature's economic development committees, in consultation with others, to develop a plan for 2011 legislative consideration to create a separate state agency focused on community services and housing.</li> </ul> <p><i>Apr. 1, Gov partial vetoed, effective 7/1/2010</i></p>	<i>Chapter 271, 2010 Laws PV</i>

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TOPIC	Bill	Title	<a href="#">Session Law</a>
Flood Control/Taxing Authority	ESSB 6286	<p><b>Concerning the liability and powers of cities and flood control zone districts.</b></p> <ul style="list-style-type: none"> <li>• Flood control zone districts and cities are provided immunity from liability for any noncontractual acts or omissions relating to the improvement, protection, regulation, and control for flood prevention and navigation purposes of any river or its tributaries.</li> <li>• A flood control zone district may use covered volunteer emergency workers during an emergency.</li> <li>• A flood control zone district may provide grant funds to political subdivisions of the state that are located within the boundaries of the zone, so long as the use of the funds are within the flood control zone district's authorized purposes.</li> </ul> <p><i>Mar. 12 Governor Signed, effective 6/10/2010</i></p>	<i>Chapter 46, 2010 Laws</i>
GMA Timelines	SSB 6611	<p><b>Extending the deadlines for the review and evaluation of comprehensive land use plan and development regulations for three years and addressing the timing for adopting certain subarea plans.</b></p> <p>Following the review of comprehensive plans and development regulations that were to be completed by jurisdictions between December 1, 2004, and December 1, 2007, counties and cities must review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of the GMA. The review deadlines are as follows:</p> <ul style="list-style-type: none"> <li>• on or before December 1, 2014, and every seven years thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the cities within those counties;</li> <li>• on or before December 1, 2015, and every seven years thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and Skamania counties and the cities within those counties;</li> <li>• on or before December 1, 2016, and every seven years thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and Yakima counties and the cities within those counties; and</li> <li>• on or before December 1, 2017, and every seven years thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those counties.</li> </ul> <p><i>Mar. 25, Governor Signed, effective 6/10/2010</i></p>	<i>Chapter 216, 2010 Laws</i>

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Growth Management Hearings Boards	SB 6214	<b>Restructuring three growth management hearings boards into one board.</b> <ul style="list-style-type: none"> <li>Consolidates the powers, duties, and functions of the three regional Growth Management Hearings Boards into a single Growth Management Hearings Board.</li> <li>Reduces the total number of Growth Management Hearings Board members from nine to seven.</li> <li>Specifies that petitions for review before the consolidated Growth Management Hearings Board must be heard and decided by a regional panel of three board members.</li> </ul> <i>Mar. 25, Governor signed, Effective 7/1/2010</i>	<i>Chapter 211, 2010 Laws</i>
Housing	ESHB 2753	<b>Workforce housing program</b> <ul style="list-style-type: none"> <li>Requires \$1 billion of outstanding debt to be used for implementing the Washington Works Housing Program to increase opportunities for nonprofit organizations and public agencies to purchase, acquire, build, and own real property used for affordable housing if state subsidies are available.</li> <li>Requires federal bond allocations to the state be determined by Internal Revenue Service code or by Department of Commerce rule.</li> <li>Adjusts the dates by which allocations to a state issuer may be made.</li> <li>Removes student loans from the state bond cap allocation, and moves the 15 percent student loan allocation to housing.</li> </ul> <i>Mar. 26, Governor signed, 1<sup>st</sup> Special Session effective date contingent on Sine Die of the 1<sup>st</sup> special session or no later than July 13, 2010.</i>	<i>Chapter 6, 2010 Laws</i>
Infrastructure	ESSB 6241	<b>Community facilities districts</b> <ul style="list-style-type: none"> <li>Community Facilities Districts (CFD) are designed to provide financing for community facilities and local, subregional, and regional infrastructure. A CFD is created by a petition approved by a county, city, or town in which the district is located. The petition must: describe the boundaries; be executed by 100 percent of all landowners, with the landowners having requested that their property be subject to assessments; explain the object and plan of the district and the specific facilities to be financed; be accompanied by an obligation to pay the costs of formation; and include a list of potential members of the board of supervisors.</li> <li>The county, city, or town in which the CFD is located must hold a public hearing on the petition and must act on the petition within 30 days of the hearing.</li> </ul> <i>Mar. 10, Governor signed, effective 6/10/2010</i>	<i>Chapter 7, 2010 Laws</i>

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Infrastructure	HB 1080	<b>Allowing impact fees to be used for all fire protection facilities.</b> <ul style="list-style-type: none"> <li>The definition of "public facilities" for which impact fees may be collected and spent is modified to include all fire protection facilities, rather than only fire protection facilities in jurisdictions that are not part of a fire district.</li> </ul> <i>Mar. 17, Gov signed, effective 6/10/2010</i>	<i>Chapter 86, 2010 Laws</i>
Land Use	HB 2740	<b>Land use decision</b> <ul style="list-style-type: none"> <li>Amends the Land Use Petition Act to clarify when the 21-day time limit for the filing of judicial appeals to local land use decisions begins to run.</li> </ul> <i>Mar. 15, Governor signed, effective 6/10/2010</i>	<i>Chapter 59, 2010 Laws</i>
Natural Resource Lands	SB 6481	<b>Clarifying which local governments have jurisdiction over conversion-related forest practices</b> <ul style="list-style-type: none"> <li>Changes the test that determines whether a county is required to adopt local forest practices ordinances so that instead of all counties that plan under the Growth Management Act being required to adopt local forest practices ordinances, all counties with a population greater than 100,000 are required to adopt local ordinances.</li> </ul> <i>Mar. 25, Governor signed, effective 6/10/2010</i>	<i>Chapter 219, 2010 Laws</i>
Natural Resource Lands	SSB 6520	<b>William D. Ruckelshaus Center</b> <ul style="list-style-type: none"> <li>If specific funding is not provided for continuation of the work of the Ruckelshaus Center, the extension for the work by the Ruckelshaus Center is null and void.</li> <li>However, the moratorium on counties and cities amending or adopting critical area ordinances affecting agricultural lands is extended whether or not additional funding is provided.</li> </ul> <i>Mar. 25, Governor Signed, effective 6/10/2010</i>	<i>Chapter 203, 2010 Laws</i>
Shoreline	EHB 1653	<b>Clarifying the integration of shoreline management act policies with the growth management act.</b> <ul style="list-style-type: none"> <li>The bill amends both the Shoreline Management Act and Growth Management Act to clarify how local governments are to implement regulations that protect shoreline areas. The legislature had amended these Acts in 2003 (through ESHB 1933) with the intent to simplify regulations by giving local shoreline master programs "sole jurisdiction" in shoreline areas, rather than sharing regulatory jurisdiction with critical areas ordinances adopted under GMA.</li> <li>The bill clarifies that critical areas ordinances adopted under the GMA continue to apply</li> </ul>	<i>Chapter 107, 2010 Laws</i>

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		<p>within shoreline areas until Ecology approves an updated master program. The bill also clarifies that Ecology's test for local SMPs is whether or not the SMP achieves "no net loss" of ecological functions, rather than whether or not it provides protection that is equivalent to its critical areas ordinance.</p> <p><i>Mar. 18 Governor Signed, effective</i></p>	
Transportation	SB 6279	<p><b>Clarifying regional transit authority facilities as essential public facilities.</b></p> <ul style="list-style-type: none"> <li>Adds regional transit authority facilities to the list of essential public facilities delineated under the Growth Management Act.</li> </ul> <p><i>Mar. 15, Governor signed, effective 6/10/2010</i></p>	<i>Chapter 62, 2010 Laws</i>
Transportation	SSB 6577	<p><b>Modifying the statewide transportation system policy goals.</b></p> <ul style="list-style-type: none"> <li>A sixth statewide transportation system policy goal is added as follows: Economic vitality: To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy.</li> </ul> <p><i>Mar. 15, Governor signed, effective 6/10/2010</i></p>	<i>Chapter 74, 2010 Laws</i>
Water	SSB 6350	<p><b>Concerning marine waters management that includes marine spatial planning.</b></p> <ul style="list-style-type: none"> <li>The Governor's Office must chair an interagency team (team) composed of Natural Resources cabinet agencies with jurisdiction over marine issues, including the independent agencies. The team must invite participation from a federal agency with lead responsibility for marine spatial planning.</li> </ul> <p><i>Mar. 19, Governor signed, effective 6/10/2010</i></p>	<i>Chapter 145, 2010 Laws</i>